

Crotty, P.

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

AXA BELGIUM (as successor to Royale Belge);
GOVERNMENT EMPLOYEES INSURANCE
COMPANY; STARR INDEMNITY & LIABILITY
COMPANY (as successor in interest to Republic
Insurance Company),

Plaintiffs,

- against -

WRG ASBESTOS PI TRUST; DOE INSURERS 1-
50,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC. #.
DATE FILED: 6-26-14

No. 14 CV 1700 (PAC)


~~PROPOSED~~ **CONSENT ORDER**

Defendant WRG Asbestos PI Trust (the "PI Trust"), by its attorneys, having respectfully requested by letter dated June 25, 2014 that the Court place this action on its suspense calendar, and with the consent of Plaintiffs AXA Belgium (as successor to Royale Belge), Government Employees Insurance Company, and Starr Indemnity & Liability Company (as successor in interest to Republic Insurance Company) (collectively "Plaintiffs"), by their attorneys, it is hereby

ORDERED that:

1. The above-captioned matter, Index No. 14 CV 1700 (PAC), be placed on the Court's suspense docket until a further request from Plaintiffs or the PI Trust to reactivate this matter; and
2. The briefing schedule for the PI Trust's requested motion to dismiss this matter be adjourned indefinitely.

Dated: 6/26/2014


Hon. Paul A. Crotty, U.S. D.J.

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June 25, 2014

Hon. Paul A. Crotty
United States District Court
Southern District of New York
500 Pearl Street, Chambers 1350
New York, New York 10007

Re: AXA Belgium, et al. v. WRG Asbestos PI Trust, et al.,
No. 14 CV 1700 (PAC)

Dear Judge Crotty:

We represent Defendant the WRG Asbestos PI Trust.

With the consent of Plaintiffs Government Employees Insurance Company, Starr Indemnity & Liability Company (as successor in interest to Republic Insurance Company), and AXA Belgium (as successor to Royale Belge), we respectfully submit this letter to advise the Court that the parties intend to submit a consent order seeking to suspend, defer, or otherwise stay the above matter in lieu of Defendant's scheduled motion to dismiss based upon ripeness.

During the pre-motion conference of May 30, 2014, our understanding was that Your Honor would be amenable to placing the matter on a deferred/suspense calendar but would not do so without the consent of all the parties. We were advised by Plaintiffs' counsel, Eileen T. McCabe, Esq. and Britt A. Eilhardt, Esq. of Mendes & Mount, LLP, that Plaintiffs would be willing to consent to a stay. They are copied on this letter.

In connection therewith, prior to the upcoming June 30, 2014 deadline to file Defendant's motion to dismiss, the parties jointly will submit a proposed consent order placing this matter on a deferred/suspense calendar.

Furthermore, as a result of the anticipated stay, we respectfully request that Defendant's motion to dismiss indefinitely be adjourned in anticipation of such motion becoming moot as a result of the consent order. No previous adjournment has been requested in connection with the scheduling order.

New York, NY ■ Ventura, CA ■ Stamford, CT ■ Washington, DC ■ Newark, NJ ■ Philadelphia, PA

Anderson Kill P.C.

June 25, 2014

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We thank the Court for its consideration and welcome any directions or comments the Court may wish to provide.

Respectfully submitted,

/s/ Robert M. Horkovich

Robert M. Horkovich

RMH:vn

cc: Eileen T. McCabe, Esq.
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